

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, JANUARY 28, 2016

Presiding: Mayor David D. Ogden  
Meeting Convened at 6:30 p.m.  
Prayer: Mayor Ogden  
Pledge of Allegiance

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilmen Bruce King, Joe Cherrington, Bruce Arnell, and Matt Garner; Acting Chairman Brent Barrus of the Planning and Zoning Commission; City Auditor Dana Izatt; Idaho Independent Intergovernmental Authority (iiiA) representative Amy Manning; Citizens Jacob and Tanner Baggett, Broc Esplin, Kurt Miller, Bridger Norman, Stephen Parker, and Stephanie Spackman.

Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on January 14, 2016. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman King and seconded by Councilman Arnell to accept the minutes, with the word change from “receive” to “present” in the first sentence under “DEPARTMENT OF COMMERCE BLOCK GRANT PRESENTATION”; motion carried. The council asked that the attachments to the minutes be included when the minutes are sent out to the council for revisions to get them ready for adoption.

**PLANNING & ZONING COMMISSION REPORT:** Commissioner Brent Barrus reported on several items of business:

**Glenn Dalling Annexation Public Hearing Date Set:** Planning and Zoning set Thursday, March 3, 2016, for the Dalling public hearing. The city will apply in behalf of former mayor Dalling and recommend the zoning. It is understood and reassurance was expressed in a letter to Mr. Dalling dated January 28, 2016, that the use of his land would not be restricted from the way he has used it in the past (see Attachment #1).

**Trel Tech:** Spencer Cook has made an application to the city for a home-based business. His computer business does not require walk-in customers or parking traffic. Only parts are delivered to his home.

**Title 9 Revisions:** The commission is working on Title 9 revisions. Starting with modifications to Single-family residential (R1), Medium density residential (R2), and High density residential (R3). They will then proceed through the zoning district and land use descriptions a piece at a time to make them consistent with the recent changes to the code. Attorney Bill Forsberg will help with the verbiage for those proposed changes.

**City Impact Area Increase/Committee:** The commission is also working on expanding the city’s impact area to include the Salem area up to the county line road to the north. A joint committee of three from Madison County will work with Planning and Zoning Commissioners Brent Barrus, Dave Thompson, and Clay Rasmussen to complete the project.

**DEVERL STODDARD P&Z APPOINTMENT:**

**MOTION:** It was moved by Councilman Cherrington and seconded by Councilman Garner to move this discussion item to a later time after the break since the council might break to executive session; motion carried.

**HEALTH INSURANCE PRESENTATION FROM IDAHO INDEPENDENT INTERGOVERNMENTAL AUTHORITY (iiiA) REPRESENTATIVE AMY MANNING:**

Amy Manning presented to the council an alternative option to consider helping with health insurance benefits and costs associated with it. iiiA is not a health insurance company. iiiA is a self-funded city and government pool independent of health insurance companies organized as a group to qualify for lower health insurance premium rates for its members. The council asked questions of Amy. Some facts of iiiA, which were discussed, are listed below:

- Non-profit – responsible only to its members
- Board of trustees are unpaid
- No employee overhead, work is done through contracts
- All claims are shared among the group
- All employees **must** participate, dependents can choose
- No double coverages
- 5% ceiling increase for premiums
- Blue Cross is the health insurance administrator
- Mandatory three-year commitment from participants
- Flat rates on dental and vision insurance

The council thanked Amy for her time and presentation and will review the option at a later council meeting.

**MEMORANDUM OF UNDERSTANDING:** Madison County Economic Developer Scott Johnson reviewed with the council the benefits of having a rural planning organization (RPO) to share information across governmental agencies for the benefit of all. He asked the council to sign the charter as a formality. Sugar City has already approved the RPO plan.

**MOTION:** It was moved by Councilman Garner and seconded by Councilman Cherrington to authorize the mayor to sign the Madison County Rural Planning Organization Charter; motion carried. (See Attachment #2).

**2015 ANNUAL AUDIT REPORT:** Sugar City Auditor Dana Izatt of Searle Hart and Associates presented the 2015 audited city financial statements to the council. He explained the new accounting standard requirement for the Idaho retirement system known as PERSI. It is now required to have the city's portion of the retirement liability noted on their financial records as a line item. In doing so, the city needed to restate their net position, which added five more pages of notes and two schedules. The city is in a good financial position.

**MOTION:** It was moved by Councilman King and seconded by Councilman Garner to accept the Sugar City audit report for the 2015 fiscal year.

## **EXECUTIVE SESSION:**

8:20 P.M. It was moved by Councilman King and seconded by Councilman Arnell, pursuant to Idaho Code 74-206 1(a) hiring specific individuals (not hiring in general), to move into executive session. The mayor called for a roll call vote:

Those voting aye: Councilmen King, Cherrington, Garner, and Arnell

Those voting nay: None

Thereupon the mayor declared the motion passed.

8:46 p.m. The executive session ended and the regular council meeting reconvened. No decisions were made and there was no deliberation.

**DEVERL STODDARD P&Z APPOINTMENT:** The potential to confirm the appointment of DeVerl Stoddard to the Planning and Zoning Commission died for lack of a motion.

**AT&T LEASE AGREEMENT:** The Council reviewed the proposed Fifth Amendment to the AT&T Lease Agreement. The amendment would guarantee the city the current rent amount for the next two years, expand rental area on the tower, and allow for subleasing. However, City Attorney Bill Forsberg stated that the agreement would only benefit AT&T. The council decided not to accept the proposed amendment.

**CITY PRIORITY LIST:** The council will review the city priority needs list with each councilmember and other city officials' suggestions and make a final prioritized list to work from. The council discussed the need to replace sewer and water lines, since the system is reaching its life span. The council tentatively decided that the lines would be replaced as needed or as they break. The Ricks subdivision is the biggest concern for the sewer repair, since it does not have enough slope in the line. This means the lift station must always be working or the sewer will back up into homes in the subdivision.

**COUNCIL ELECTIONS AND ASSIGNMENTS:** The council voted on new assignments for the council members.

**MOTION:** It was moved by Councilman Arnell and seconded by Councilman Garner to elect Councilman Bruce King as council president: motion carried.

**MOTION:** It was moved by Councilman Arnell and seconded by Councilman King to elect Councilman Garner as council vice-president: motion carried.

**PALOMINO DRIVE REVISIONS:** It was brought to the attention of the city that because of street naming discrepancies on Palomino, some utilities and emergency personnel were having trouble finding addresses. The city will notify each Palomino street resident of the changes and the reasons for the changes. East-west Palomino will now be known as Palomino Drive, while north-south Palomino will be known as Palomino Circle.

**DEPARTMENT REPORTS:**

**COUNCILMAN KING:**

**Joyce Cromar Water:** Councilman King reported concern about widow Joyce Cromar and her water pipes freezing in the winter. In the past, she has set a small drip or stream to run from her faucet and through her toilet, which causes a very high water bill that she can't afford. Mayor Dave Ogden and Public Works Director Zane Baler will investigate the problem further and recommend a solution.

**COUNCILMAN CHERRINGTON:**

**Animal & Insect Control:** Councilman Cherrington asked about animal and insect control and how to enforce it. The council is still reviewing the revisions to the animal code, which has been set aside the past few months to focus on other pressing matters.

**COUNCILMAN ARNELL:**

**Super Walmart Grand Opening:** Councilman Garner represented Mayor Ogden at the grand opening for the new Walmart supercenter with a few well-received remarks.

**COUNCILMAN GARNER:** No report.

**MAYOR'S BUSINESS:**

**Photocopier:** A new copier will be purchased for the city, which has the capability of scanning documents so that they can be searchable and selectable. The cost to the city will be less than the current copier lease agreement.

**New Truck:** The city will also purchase from Stone's Town & Country a newer used one-ton pickup for \$21,000. The city is in need of another service pickup to replace older vehicles that are wearing out.

**RR Crossing:** Several people have been getting stuck on the railroad track crossing on 1st South east of the Dalling subdivision. Because of possible liability to the railroad, the city will not plow the snow from the tracks. The city will apply salt to the area to help with the snow ruts across the tracks.

**URD Report:** Brad Wolf replaced now Mayor Jerry Merrill on the Rexburg Urban Renewal District.

**Block Grant for Fertile Peat Update:** The grant presentation in Boise went very well. The grant council was very interested and engaged in the project. We should hear back sometime next week.

**ICRMP Training:** A link to ICRMP will be sent to the council to complete the training.

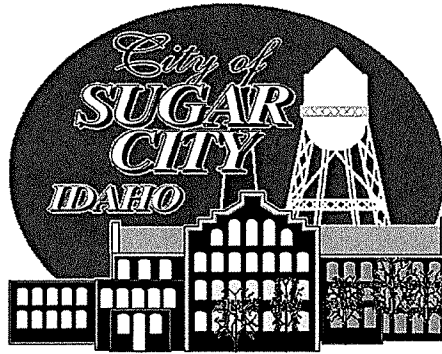
Meeting adjourned at 9:50 p.m.

Signed: \_\_\_\_\_  
David D. Ogden, Mayor

Attested: \_\_\_\_\_  
Wendy McLaughlin, Clerk-Treasurer

David D. Ogden, Mayor  
Wendy McLaughlin, Clerk-Treasurer  
Shelley Jones, Deputy Clerk-Treasurer  
Zane Baler, Public Works Director  
Phone: (208) 356-7561  
Fax: (208) 359-2654  
Office Hours: 9 a.m. to 4 p.m.

---



## City of Sugar City

P.O. Box 56 - 10 East Center  
Sugar City, Idaho 83448

*Support our local businesses*

---

January 28, 2016

Glenn Dalling  
590 West 1<sup>st</sup> South  
Sugar City, ID 83448

Subject: *Assurance that Sugar City will not change the land use on the Dalling land following Annexation*

Dear Glenn:

I write to thank you for your willingness to request the annexation of your property by the City of Sugar City. It will be a significant step forward in the development of Sugar City and an enhancement to future generations.

We are mindful of the history of your property and your desire to be able to continue to use it as you have in the past. Please be assured that the City does not intend to, and will not change the uses permitted on the land in any way that would restrict your ability to use it as you have in the past. Certainly as time passes should there be changes in zoning requested by you or any future owner of the property, the City will consider them and I expect will make such changes if they conform with the land use laws we are required to follow.

The City Council and I look forward to working with you on your annexation so that it will be a positive experience for us all.

Sincerely,

David Ogden

cc: City Council, City Clerk

MADISON COUNTY RPO

# Madison County Rural Planning Organization

---

Charter

9/26/2013

This Charter defines the membership, functions, duties and responsibilities of the Madison County Rural Planning Organization.

# Charter

## Establishment, Purpose and Service Area

### SECTION 1 – NAME

There is established an organization to be known as the Madison County Rural Planning Organization (MCRPO).

### SECTION 2 – PURPOSE AND GENERAL RESPONSIBILITIES

1. To complete the activities necessary to maintain a comprehensive, cooperative and continuing multi-agency rural infrastructure planning program, including the development and maintenance of the MCRPO Plan.
2. To promote public participation in the infrastructure planning process through public outreach.
3. To exercise leadership and initiative in planning the development of an efficient, cost-effective, integrated infrastructure in Madison County, Idaho.
4. To make recommendations to accomplish the goals developed within the MCRPO Plan.

### SECTION 3 – SERVICE AREA

The service area encompasses all of Madison County, Idaho.

### SECTION 4 – MEMBERSHIP

Initial membership in the MCRPO will include representatives from Madison County, City of Rexburg, City of Sugar City, Brigham Young University-Idaho and the Idaho Transportation Department District 6.

STATE OF IDAHO, )  
(ss  
County of Madison. )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for said state, personally appeared Jerry Merrill, know to me to be the Mayor of the City of Rexburg; the Municipal Corporation that executed the foregoing instrument, and acknowledged to me that such Municipal Corporation executed the same.

\_\_\_\_\_  
Notary Public, residing at  
Rexburg, Idaho. My commission  
expires: \_\_\_\_\_

STATE OF IDAHO, )  
(ss  
County of Madison. )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for said state, personally appeared David Ogden, know to me to be the Mayor of the City of Sugar City; the Municipal Corporation that executed the foregoing instrument, and acknowledged to me that such Municipal Corporation executed the same.

\_\_\_\_\_  
Notary Public, residing at  
Rexburg, Idaho. My commission  
expires: \_\_\_\_\_

STATE OF IDAHO, )  
(ss  
County of Madison. )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for said state, personally appeared Kimber Ricks, know to me to be the Chairman of the Madison County Commissioners, the County that executed the foregoing instrument, and acknowledged to me that such Municipal Corporation executed the same.

\_\_\_\_\_  
Notary Public, residing at  
Sugar City, Idaho. My commission  
expires: 3/15/2016

EXECUTION

This Agreement is executed for the State by its Chief Engineer, and executed for the City of Rexburg by the Mayor, the City of Sugar City by the Mayor, and Madison County by the County Commissioners and attested to by the Clerks of the same, with the corporate seals of the Cities and County.

**IDAHO TRANSPORTATION DEPARTMENT**

APPROVED BY:

\_\_\_\_\_  
Chief Engineer

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy Attorney General

RECOMMENDED:

\_\_\_\_\_  
District Engineer

**CITY OF REXBURG**

by \_\_\_\_\_  
Mayor

**CITY OF SUGAR CITY**

by \_\_\_\_\_  
Mayor

**MADISON COUNTY**

by \_\_\_\_\_  
County Commissioner Chairman

ATTEST:

\_\_\_\_\_  
County Clerk



CITY OF  
**REXBURG**  
*America's Family Community*

**Resolution 2016 - 02**

WHEREAS, the Idaho Transportation Department, hereafter called the STATE, has submitted an agreement stating obligations of the STATE and the CITY OF REXBURG, hereafter called the CITY, to provide funding to the City for certain infrastructure and planning expenditures, and

WHEREAS, the STATE is responsible for obtaining compliance with laws, standards, and procedural policies in the development, construction and maintenance of improvements made to the Federal-aid Highway System when there is federal participation in the costs; and

WHEREAS, the parties have agreed to participate in the costs of such improvements as outlined in this Cooperative Agreement.

NOW, THEREFORE, BE IT RESOLVED:

1. That the agreement is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the CITY.
3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

**CERTIFICATION**

I hereby certify that the above is a true copy of the Resolution passed at a regular, duly called meeting of the City Council of Rexburg, held on January 20, 2016.

---

Blair D. Kay, City Clerk

(Seal)